REMARKS

Claims 29-40 remain pending in the present application, and are presented to the Examiner for reconsideration based upon the remarks set out below.

In the Office Action dated September 25, 2006, the Examiner rejected claims 29-40 under 35 U.S.C. § 103(a) as being unpatentable over Kanai (U.S. Patent No. 5,898,682) in view of Choi (U.S. Patent No. 6,278,882). Applicant respectfully traverses this rejection for the reasons set out below.

Applicant respectfully submits that Kanai fails to teach to increase a pilot channel transmit power level of a wireless device and to decrease a power gain of other channels in relation to the pilot channel as is substantially claimed by claims 29, 33, and 37 of the present invention.

As disclosed in col. 2, lines 9-18 of Kanai, the radio channel control apparatus comprises a quality monitoring means for monitoring the communication quality of at least one of the code-division multiplexed radio channels to produce a quality monitoring signal representative of the communication quality, and power level control means for controlling a power level of the pilot signal in response to the quality monitoring signal to change the cell in size from one to another in dependency upon the power level of the pilot signal.

Applicant respectfully submits that although the Kanai reference may disclose adjusting the power level of the pilot signal in response to a signal quality measurement, there is nothing in the Kanai reference that discloses adjusting power levels of channels in opposite directions, namely, ***increasing a pilot channel transmit power level*** of the wireless device, and ***decreasing a power gain of other channels in relation to the pilot channel*** as claimed by Applicant in presently presented independent claims 29, 33, and 37. Additionally, the Kanai reference is drawn to adjusting the cell size by concurrently increasing or decreasing the power levels of all of the channels in a specific cell. A method for ***increasing a pilot channel transmit power level*** … and ***decreasing a power gain of other channels in relation to the pilot channel*** as claimed by Applicant would be counter-productive in the Kanai reference.

Applicant further submits that Choi does not make up for any of the deficiencies as outlined above with regard to Kanai. That is, Choi also fails to teach to increase a pilot channel

transmit power level of a wireless device and to decrease a power gain of other channels in relation to the pilot channel as is substantially set forth by the independent claims of the present invention.

Choi discloses a call control method in a CDMA mobile radio communication system which can maintain the forward load in a sector below a predetermined level even when a forward sector capacity is overloaded by estimating the sector forward power using powers of activated traffic channels allocated to the sector when originating and terminating calls are controlled in the mobile radio communication system. According to the call control method of Choi, a forward sector excess capacity is calculated from the sector forward power for a predetermined period, a call and/or handoff call attempt block threshold value is determined using the calculated forward sector excess capacity, and then a call and/or handoff call is allocated by comparing the call and/or handoff call attempt block threshold value with the forward sector excess capacity value when a certain mobile unit requests a call allocation. According to col. 4, lines 52-56 of Choi, an overhead channel power is a fixed value allocated at an initial state of the base station, and the traffic channel power increases or decreases for each frame owing to the gain obtained by the power control, voice activity, and power control subchannel. Applicant respectfully submits, however, that this disclosure of Choi does not teach or suggest to increase a pilot channel transmit power level of a wireless device and to decrease a power gain of other channels in relation to the pilot channel.

Accordingly, since neither Kanai nor Choi (either taken alone or in combination) teach or reasonably suggest to increase a pilot channel transmit power level of a wireless device and to decrease a power gain of other channels in relation to the pilot channel, Applicant respectfully submits that the Kanai/Choi combination cannot make obvious claims 29, 33, and 37 of the present invention (and all claims dependent thereon).

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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